

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

ROBERT GERALD WILDER

PLAINTIFF

V.

NO. 3:19cv00035-MPM-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER

By Order [10] dated May 8, 2019, Plaintiff was required to file and serve a memorandum brief setting forth the errors he contends entitle him to relief in this Social Security appeal. That Order further provided that the issues before the Court are limited to the issues raised in the briefs. By Order [13] dated July 10, 2019, the Court *sua sponte* extended the deadline for filing of Plaintiff's brief because further review of the docket made apparent that Plaintiff had not been served by the Court with copies of the Order [10] directing filing of briefs, the Order [11] concerning consent to magistrate judge, and the Notice [12] setting a hearing. Plaintiff was granted 30 days from July 10 in which to file his brief. Because Plaintiff failed to timely file his brief, by Order [15] dated October 28, Plaintiff was required to show cause in writing why his case should not be dismissed for failure to obey a Court order and for failure to prosecute his case. On November 18, Plaintiff filed his response [17] to the Show Cause Order and separately filed his brief [18]. In his response, Plaintiff avers he "did not receive the paper work until october 28 2019 [sic]" and was "unaware of the need to file the brief."

Having duly considered Plaintiff's response to the Show Cause Order and submission of his brief, the Court will construe the filings as Plaintiff's request for additional time to file his brief, and Plaintiff's brief is hereby deemed timely filed. **Accordingly, within 30 days of this date, Defendant shall file his memorandum brief.**

IT IS FURTHER ORDERED that along with a copy of this order, **the Clerk shall provide Plaintiff with a copy of the updated Notice [14] of hearing set in this matter in Greenville, Mississippi before the undersigned at 10:00 a.m. on December 2, 2019.**

Plaintiff is warned that failure to comply with an order or failure to keep the Court informed of a current mailing address may result in dismissal of this case.

SO ORDERED this, the 22nd day of November, 2019.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE